



**Seattle Department of
Construction & Inspections**

**TREE PROTECTION ORDINANCE
NOTICE OF VIOLATION
CASE NO. 1048666-VI**

January 15, 2020

Property Owner: **MICHAEL STEIN**
Property known as **536 NORTH 67TH STREET**
APN: 2331300165
Lots 32-33, Block 1, Emerald Park Addition East 10 feet of 32 and all of 33, as recorded in Records of King County, Washington.

Michael Stein
563 N 67th St
Seattle, WA 98103

We received a complaint about this property. SDCI Housing and Zoning Inspector **Eddie Scott**, investigated and found a violation or violations of the Tree Protection Ordinance, Seattle Municipal Code Chapter 25.11, Section(s) **25.11.030, 25.11.040 and 25.11.100**.

The Tree Protection Ordinance was violated by:

Removing a (Western Red Cedar-THUJA PLICATA) designated as an exceptional tree, in a Single Family Zone without SDCI approval.

To correct the violation(s) and comply with this notice of violation, the following measures must be taken:

1. Provide a plan to restore the unlawfully damaged areas for approval by the Director, and implement that plan. The plan must provide for repair of any environmental and property damage and restoration of the site and which results in a site condition that, to the greatest extent practicable, equals the site condition that would have existed in the absence of the violation(s).

AND

2. Pay a civil penalty as determined by the Director using the trunk formula methodology as outlined by the Guide for Plant Appraisal, 9th edition. The penalty for cutting a (Western Red Cedar-THUJA PLICATA) without approval is \$35,684.00. See the enclosed Tree Penalty Worksheet for more details.

CORRECTIVE ACTION MUST BE COMPLETED NO LATER THAN FEBRUARY 14, 2020.

The Housing and Zoning Inspector will re-inspect on or after the date set for compliance to determine if the required corrections have been made.

If you need information about the application process for a permit to repair any environmental and property damage and requirements for doing work under that permit, contact the Applicant Services Center of the Seattle Department of Construction and Inspections, 700 5th Ave., Suite 2000 (20th Floor of Seattle Municipal Tower), at (206) 684-8850.

PENALTIES/FINES

If you have removed a tree or trees in violation of the Tree Protection Ordinance or in violation of any notice, decision, or order issued by SDCI under this ordinance, you are subject to a civil penalty (fine) in the amount equal to the appraised value of the trees affected. This amount may be tripled if the violation is determined to be willful or malicious. The value of the trees has been determined by reference to the *Guide for Plant Appraisal*, 9th Edition, using the attached Tree Penalty Worksheet.

You may pay this penalty by mailing a check or money order payable to the City of Seattle addressed as follows:

Seattle Department of Construction and Inspections
Attn: Jill Vanneman
PO Box 34234
Seattle WA 98124-1234

You must include the Notice of Violation case number on the check or money order.

If you do not correct the violations by the deadline listed above, the City may file a lawsuit against you to collect the penalty. If this case goes to court, the City would have to prove that the code violation exists/existed in order to collect any penalties.

DIRECTOR'S REVIEW

If you disagree with this Notice of Violation, you may request a review of this Notice by a Department Review Officer. You must ask for this review within ten days.

You may request the Review by writing to the Director of Code Compliance, in care of **Eddie Scott**, Housing and Zoning Inspector,

Department of Construction and Inspections
700 5th Avenue, Suite 1800
PO Box 34019
Seattle, WA, 98124-4019.

If you request a review by the Director, the request

- must be in writing,
- must be received by the Director no later than ten days following service of this Notice, and

- must contain the signature, mailing address and telephone number of the person requesting the review.

The request should also include a brief statement including

- specific objections to the Notice of Violation
- how the requestor is significantly affected by, or interested in, the Review by the Director.

If more than one person is cited in the Notice, the request for Review by the Director should specify the person to be contacted about the Review.

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If you have questions or do not understand the violation(s) or what is necessary to correct them, please contact **Eddie Scott**, Housing and Zoning Inspector, by phone at 206-233-7857 or by e-mail at eddie.scott@seattle.gov.

If needed, Inspector **Eddie Scott** will meet with you or someone representing you on the site to discuss how you will bring the property into compliance with the Tree Protection Code. Once you have corrected the violation, the inspector must verify compliance. If you need more information or would like a meeting, please contact the inspector. Thank you for your attention to this matter.



Eddie Scott
Housing and Zoning Inspector
206-233-7857
eddie.scott@seattle.gov

City of Seattle Department of Construction and Inspections
700 5th Avenue, Suite 1800
PO Box 34019
Seattle WA 98124-4019
206-615-0808 / 206-233-7156 (TTY)
www.seattle.gov/sdci

Enclosure: Tree Penalty Worksheet

ES/cg